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Paul Hastings**FACSIMILE TRANSMISSION**

from: Diana L. Bush, Ph.D., Esq. **facsimile:** (858) 720-2555 **telephone:** (858) 720-2885 **initials:** DLB4

client name: Metabasis Therapeutics, Inc. **client matter number:** 45198.00013.RCE2

date: October 28, 2004 **pages (with cover):** 51

to: USPTO **company/office:** USPTO **facsimile:** (703) 872-9306 **telephone:**
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U. S. Patent Application No. 09/518,501
NOVEL PHOSPHORUS-CONTAINING PRODRUGS

Applicant: Erion et al.
Filing Date: March 3, 2000
Our Ref: 45198.00013.RCE

Attached hereto are the following documents for filing in the above patent application:

1. Request for Continued Examination (RCE) Transmittal (PTO Form SB/30), plus duplicate copy (2 pgs); and
2. Petition for Extension of Time & Amendment and Remarks (48 pgs).

CERTIFICATE OF TRANSMISSION
(37 C.F.R. §1.8)


I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

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PTO/SB/30 (09-04)

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Request For Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/418,501
	Filing Date	03/03/2000
	First Named Inventor	Mark D. Erion
	Art Unit	1624
	Examiner Name	T. McKenzie
	Attorney Docket Number	45185.00013.RCE2

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/ Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. **Fees**

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☒ Deposit Account No. 50-2613. I have enclosed a duplicate copy of this sheet.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
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- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<i>Diana L. Bush</i>	Date	10-28-04
Name (Print/Type)	Diana L. Bush, Ph.D., Esq.	Registration No.	51,109

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Signature	<i>Janice Crisp</i>	Date	10-28-04
Name (Print/Type)	Janice Crisp		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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- ii. ☐ Other _____
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